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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jacques SEGUIN

Group Art Unit: 3738

Application No.: 10/762,348

Examiner: C. PRONE

Filed: January 23, 2004

Docket No.: 112503.01

For: ANNULOPLASTY DEVICE FOR USE IN MINIMALLY INVASIVE PROCEDURE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

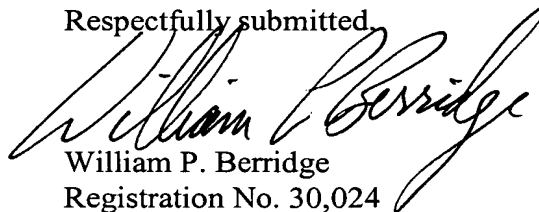
In reply to the July 5, 2006 Election of Species Requirement, Applicant provisionally elects species A, with traverse.

In further response to the Election of Species Requirement, Applicant respectfully asserts that at least claims 15-20 and 32-38 are generic. Furthermore, Applicant respectfully asserts that at least claims 15-23 and 32-41 read on the elected species.

Applicant traverses the election of species requirement on the ground that the generic claims are not so broad as to place an undue burden on the Patent Office to search and examine the full scope of the claims. Rather, search and examination of the entire application could be conducted without undue burden on the Examiner, thus avoiding delay and expense to Applicant and the Office.

Applicant further understands however, that upon search, examination and allowance of claims encompassing the elected species, search and examination will continue as to the non-elected species.

Respectfully submitted,



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Registration No. 30,024

WPB:amw

Date: August 7, 2006

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